

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Customer No: 000027777

Confirmation No. 4619

In re application of: Messerly et al.

Atty Dkt. Ref.: END0797US

Serial No.: 10/659,416

Group Art Unit: 3767

Filed: September 10, 2003

Examiner: D. Hall

**Title: ULTRASONIC SURGICAL INSTRUMENT INCORPORATING FLUID
MANAGEMENT**

I hereby certify that this correspondence is being transmitted via
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November 15, 2010
(Date of Transmission)

Linda F. Hansen
(Name of applicant, assignee, filer, or Registered Representative)

/Linda F. Hansen/
(Signature)

November 15, 2010
(Date of Signature)

**Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450**

Dear Sir:

RESPONSE D

This Response D and a **Request for Continued Examination** is filed in response to the Office Action of May 25, 2010 (the "Office Action"). This Application remains pending based on the Notice of Appeal filed on August 24, 2010.

Listing/Amendments to the Claims begins on page 2 of this paper.

Remarks/Discussion begin on page 5 of this paper.